The South African Police Service's Response to Sexual and Gender-Based Violence: The Experience of Survivors

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Declaration

This work has not been previously submitted, in whole or in part, for the award of any degree. It is my own work. Each significant contribution to, and quotation in, this dissertation from the work, or the works, of other people has been attributed and has been cited and referenced.

Signed by candidate

Erin Lee Griqua

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Abstract

The South African government's attempts to address the scourge of violence against women and children, although laudable in theory, have not materialized as effectively as intended. The shortcomings of the South African Police Service (SAPS) as the first point of contact in the Criminal Justice System have contributed to the failure of the system to respond to sexual and gender-based violence (SGBV) appropriately. The objective of this study was to investigate the experiences of survivors when reporting an incident of SGBV to the South African Police Services. Twelve women were recruited via snowball sampling from the Manenberg SAPS Victim Empowerment Programme and were invited to participate in a 45-60-minute semi-structured interview. Following the research topic, this study employed an intersectional feminist theoretical framework, and a thematic analysis was utilized for the analytical approach. The analysis produced five themes pertaining to the experiences of survivors when reporting an incident of SGBV to SAPS and the meaning-making of these experiences. The themes that emerge from this research include narratives on the inevitability of delayed justice, narratives on the experiences of reporting to the South African Police Services (SAPS), evidence narratives, narratives on the constraints of reporting gender-based violence, and, lastly, empowered narratives. The findings of this study highlight that the South African police's response to SGBV needs to be improved. The study also highlights the importance of and need for victim-centric services at South African police stations for survivors of SGBV.

Keywords: *sexual and gender-based violence, South African Police Services, intersectional feminism, victim empowerment*

Contents

Chapter One: Introduction

Who cares that sexual and gender-based violence (SGBV) is the lived reality of one in three women in democratic South Africa? With each peak in the prevalence of SGBV reached, strategic plans are put into place to theoretically combat SGBV. In response to the 2018 #TotalShutdown, which had seen women and civil society at large march to bring an end to gender-based violence, the National Strategic Plan on Gender-Based Violence and Femicide in South Africa was implemented. This represents a multi-sectoral with the criminal justice system (CJS) as an important stakeholder. Gatekeeping the justice system is the South African Police Service (SAPS), which is mandated to ensure the protection of survivors of SGBV and deliver their services in a 'victim-centric' way. Essentially, they set the tone for the experience survivors of SGBV will have with the system.

The scourge of SGBV, although a rampant concern, is not new to South Africa. Within the last decade, cases of SGBV in South Africa received widespread media coverage that became a catalyst for the implementation of legislation, activism, and renewed discussions and research to address SGBV. Decolonial feminist scholars have situated how South Africa's history of violent colonization, slavery, and apartheid has profoundly shaped the racialized and classed construction of gendered violence (Boonzaier et al., 2020). These scholars have highlighted how gendered violence is characterized across academia and media and their positioning of marginalized black male bodies without taking into account the violent and oppressive past and continued hardships (Boonzaier et al., 2020; Moolman, 2017). Noting this is important, as SGBV is often framed in literature as a symptom of gender inequality, traditional and cultural patriarchy, or violent masculinities in which marginalized black identities are centered.

Defining Sexual and Gender-Based Violence

Gender-based violence (GBV) may be defined as the act of violence (i.e., physical, psychological or sexual harm) perpetrated against someone based on "socially ascribed (i.e., gender) differences between males and women" and primarily characterized as an "expression of power inequalities between men and women" (United Nations International Children's Emergency Fund [UNICEF], 2019, p.4) and includes acts that inflict emotional, physical, mental or sexual harm, or suffering threats of such acts, coercion, and other deprivations of liberty (UNICEF, 2019). Beyond its unilateral conceptualizing, the definition of GBV is inclusive of violence inflicted against women, children, men, and gendered minorities (Enaifoghe, 2019; Graaff, 2021).

The Prevalence of SGBV in South Africa

Police Minister Bheki Cele reported on the release of the second-quarter crime statistics for 2023/24, which includes the months of July, August, and September. The South African Police reported 10516 cases of rape, of which 4726 included an intimate partner or someone known to the victim, and 14401 cases of GBV. Moreover, during the same period, there were 1514 cases of attempted murder reported by women and 881 cases of women who were murdered (Republic of South Africa, 2023). The Police Minister further reports that sexual offenses have decreased by 35.9% since reporting on the 2022/2023 second-quarter statistics of 2022/2023.

However, the presented statistics are not an accurate representation of the prevalence of SGBV in South Africa, and the noted 'decrease' is not indicative of its severity being addressed. There has been a growing concern about the underreporting of SGBV cases in South Africa, making the extent of its pervasiveness unclear (George, 2020). Despite the funding, implementation of policies, and amendments of legislation, SGBV in South Africa

remains prevalent. This has predominantly been attributed to the lack of policy enforcement by the South African Police. Local studies have largely centered on the challenges that the South African Police face in their attempts to address SGBV (see for example, George, 2020; Kholofelo & Trivivangasi, 2021; Mmamabolo et al., 2020; Oparinde & Matteau Matsha, 2021; Orchowski et al., 2022; Thobane et al., 2020).

Local research has predominantly centered on SAPS and the challenges that hinder an effective response to SGBV. Additionally, the successful efforts of the CJS to address SGBV in South Africa have largely been measured by the number of arrests made, conviction rates, or the decrease in SGBV cases. In doing my review of the available and relevant literature, what has largely been missed are the experiences victims have when reporting their incidents of violence, in which the experiences of victims are centered and explored rather than merely being quantified. The insights into these experiences are predominantly quantitative and do not fully explore the intersectional complexity of what it means to report an incident of sexual and/or gender-based violence to the South African police. This research study aims to center on those experiences, which will add to the growing literature on the experiences survivors have when reporting SGBV to the South African police.

Aims and Rationale

Sexual and gender-based violence is embedded in the South African society. The government's attempt to mitigate this has, in theory, been laudable – as South Africa is known to have one of the most progressive constitutions in the world. Striving for social justice is at the core thereof – that is, a just and equitable society with fair resource allocation and respect for all human rights irrespective of gender, age, ethnicity, sexual orientation, social class, and education (Bhugra, 2016). The rights of victims in the Criminal Justice System (CJS) are, therefore, as follows: the right to be treated fairly, the right to receive information, the right to protection, the right to assistance, and the right to compensation and

restitution (Republic of South Africa Department of Justice and Constitutional Development [RSA DoJ & CD], 2004).

In response to addressing gendered violence and femicide in South Africa, the government and civil organizations proposed the 'National Strategic Plan on Gender-Based Violence and Femicide in South Africa' (hereafter, NSP) (Republic of South Africa [RSA], 2020). The NSP is a multi-sectoral framework that is proposed to comprehensively confront gendered violence and femicide. It comprises six pillars, namely: a. accountability, coordination, and leadership; b. prevention and rebuilding of social cohesion; c. justice, safety, and protection; d. response, care, support, and healing; e. economic power; and f. research and information management (RSA, 2020). For this study, 'justice, safety, and protection' will be explored, as the CJS is one of the key role-players in the NSP – with SAPS as the 'gatekeepers' thereof (Mmamabolo et al., 2020). One of SAPS's key interventions looks at approaching SGBV in a more 'victim-centric' way; this means providing the necessary sensitivity of protection, safety, and justice to survivors through effective service delivery (RSA, 2020).

However, research (e.g., Childline Gauteng, 2022; Kholofelo & Trivivangasi, 2021; Mmamabolo et al., 2020; Retief & Green, 2015; Steyn & Steyn, 2008) has shown how the CJS's 'victim-centric' approach has not materialized as effectively as intended. The experience victims of SGBV are expected to have is not aligned with their experience when reporting their incidents of violence to SAPS. Therefore, the main aim of this research is to explore the perceptions survivors have of their experience reporting incidents of sexual and/or gendered violence at SAPS. The second aim is to gauge how they make meaning of their experiences and to highlight the nature of support they need. The two research questions that this study aims to answer are:

1. What are the experiences of survivors in low socioeconomic communities when reporting incidents of sexual or gendered violence?
2. How do survivors make meaning of their experience of reporting an incident of sexual and/or gender-based violence to the South African police?

Thesis Structure

The first chapter provides a brief introduction to sexual and gender-based violence, the definition thereof, and its prevalence in South Africa. The chapter ends with the study's rationale, aims, and research questions. Chapter Two presents a review of literature of the criminal justice system, with a specific focus on the South African Police Service's response to SGBV. The chapter begins with an introduction to the Victim's Charter, which reviews the rights that victims have in the justice system. It then examines factors that are barriers and facilitators for women who are reporting an incident of violence. The chapter then reviews the functions of the victim empowerment room and continues by reviewing the quality of the South African police's service delivery in response to SGBV. It then reviews the concept of restorative justice for victims of SGBV. Chapter Three delves into the methodology and ethical considerations applied during the research. Chapter Four presents the study's findings and a discussion of themes that have emerged. In ending the thesis, Chapter Five presents a summary of the research findings, limitations of the study, as well as recommendations and suggestions for future research on the South African police's response to SGBV.

To be noted, 'survivor' and 'victim' will be used simultaneously throughout the study. When referring to 'victim,' it will be in the context of legislation and policies. For example, the National Policy Guidelines for Victim Empowerment (Republic of South Africa, Department of Social Development [RSA DoSD], 2014) stipulates that "a victim is any person who has suffered harm, including physical or mental injury; emotional suffering; economic loss or substantial impairment of his or her fundamental rights, through acts or

omissions that are in violation of the criminal law" (p.2). The use of survivor is intentionally used throughout the study to denote resilience, strength, and empowerment.

Chapter Two: Literature Review

In this chapter I provide a contextual background for this research topic. I start with an overview of the rights survivors of SGBV have within the justice system when reporting their incidents. I follow with an exploration of factors that either facilitate or hinder the reporting process for victims. I conclude the literature review with a broader discussion and review of the South African Police Service's response to SGBV – particularly their expected roles and the quality of their service delivery.

The Victim's Charter assists the CJS with being more compliant with the constitution of the Republic of South Africa. The Victims' Charter (RSA Department of Justice & Constitutional Development [RSA DoJ & CD], 2004) is compliant with the South African Constitution and stipulates the rights and responsibilities that victims have within the CJS. These rights are as follows: "the right to be treated with fairness, respect, and dignity; the right to offer information; the right to receive information; the right to protection; the right to assistance; the right to compensation; and the right to restitution" (RSA DoJ & CD, 2004, p.6-9). In keeping with this, the charter stipulates that all essential role-players in the CJS are to ensure that victims remain central to the CJS focus; secondary victimization is eliminated; service standards are clearly rendered when victims encounter the CJS; and victims' recourse be granted when standards are not met (RSA DoJ & CD, 2004). Ironically though, South Africa is known to have one of the best constitutions in the world while simultaneously being known as the "rape capital" of the world (Oparinde & Matteau Matsha, 2021, p.1).

Factors that Influence the Choice of Reporting Sexual and/or Gendered Violence

Barriers to Reporting

Across societies, cultures, and contexts, SGBV is rooted in inequalities that are gendered, systemic, structural, and institutionalized (Gillum, 2021; Ssanyu et al., 2022). International and local literature has reviewed the complexities of reporting SGBV for

women. These studies have shown that women are less likely to report incidents of violence when constraints are imposed by economic dependency (Palermo et al., 2014), poverty, unemployment, and the costly nature of reporting violence (Childline Gauteng, 2022; Diko, 2023; Leburu-Masigo, 2020). There are also some societal beliefs that reinforce the shame, guilt, and stigma stereotypically associated with SGBV (Diko, 2023; Mogstad et al., 2016; Ssanyu et al., 2022). These societal beliefs and victim-shaming are internalized, as survivors are made to believe that they are in part responsible for their sexual assault. Edwards et al. (2011) discuss the rape myths that are sustained by the patriarchal system which purports that "husbands cannot rape wives," "women asked to be raped," or that "women lie about being raped" (p.762). Moreover, the literature has shown that the lack of knowledge and accessibility to social services, as well as the lack of trust in police services (Machisa et al., 2023; Orchowski et al., 2022) have also impeded victims' choice of not reporting their incident of violence.

The experience of victim-blaming and the labelling of violence as a 'private matter,' particularly by male SAPS personnel, has also been noted as a barrier to reporting for many survivors (Diko, 2023; Machisa et al., 2023; Nduna & Tshona, 2021). Relatedly, Mogstad et al. (2016) highlighted that community perceptions contribute to low reporting rates by survivors. They further noted that SAPS's attempts to address the issues were seen as violating "culturally correct procedures" (p. 8). The women who participated in the study expressed that they were encouraged by their communities to solve the problem, "broker the peace," and "keep the family together" (Mogstad et al., 2016, p.8). Nduna and Tshona (2021) reported similar findings and stated that women were pressured to negotiate with their partners. In both instances of the perceptions and social norms within communities, the patriarchal system continues to discriminate against and ostracize women from accessing justice.

International and local literature has further shown that women's experiences are disproportionally compounded by their race, gender, and class (Gillum, 2021: Mugoya et al., 2020). Black women, particularly those who are poor, experience several intersecting vulnerabilities. These vulnerabilities are further linked to systematic inequalities that reinforce their barriers to reporting. In South Africa, SGBV has been shown to be a manifestation of colonial and apartheid violence (see Boonzaier, 2017) that sustains the current unjust system. Understanding the barriers of reporting should also concede its link to economic violence against women. To give an idea thereof, the unemployment rates for black women was reported to be 41,5% in 2021, which was higher than their male (32,9%) and white female (25,2%) counterparts (Statistics SA, 2021). Thus, economic survival is more likely to be a significant factor that constrains black women and women of color from reporting their incident of SGBV.

Essentially, socioeconomically marginalized persons are less likely to also have access to the justice system. Moreover, it is well known that there is a strong association between the effects of SGBV on mental health – particularly, post-traumatic stress disorder, depression, anxiety, and suicide (Bhuptani & Messman, 2022; Mugoya et al., 2020; Ullman & Peter-Hagene, 2016). Barriers to reporting evidently impeded accessibility to psychosocial, legal, and medical support services.

Facilitating Factors

Substantial literature has emphasised the significance of environmental factors, such as informal and systematic support that facilitates the reporting of SGBV (Alcantud et al., 2020). Informal support includes a close confidant to the survivor – either a close friend or relative that would encourage women to seek-help through reporting, informing, and connecting survivors to resources (i.e., counselling support) or providing accommodation, childcare or financial support (Alcantud et al., 2020). Additionally, systematic support

includes the availability of psychosocial support services such as SGBV centers. It also includes support from police services, and studies have shown that female police officers are more likely to offer survivors a protective, validating space to report (Sun, 2007), thus alleviating the fears of not being believed. An empirical analysis by Miller and Segal (2019) revealed that reporting rates of violence against women increased when there was a higher representation of female police officers. Their study further showed that female representation in the police force indirectly increased the willingness of women to report violence.

With regard to this, a study by Retief and Green (2015) reported that female personnel are more experienced and skilled in attending to incidents of violence against women. They stated that "male police officers generally tend to take charge of so called 'hard-core crimes' whilst their counterparts mostly handle 'social crimes,' mainly involving vulnerable victims" (Retief & Green, 2015, p.138). However, Silvestri (2017) and Angehrn (2021) recognize ways in which hegemonic masculinity in the police force reinforces the gendered and stereotypical roles of femininity. With this, female police officers are limited and expected to engage in more stereotypical feminine duties that involve emotional labor – often being responsible for working on cases that involve supporting victims and working with sexual violence.

Moreover, studies have also shown that women who grew up being exposed to abuse (i.e., their own mother being victim to intimate partner violence) and women who are mothers are more likely to report an incident of violence (Fanslow & Robinson, 2010; Kim & Lee, 2011; Mookerjee et al., 2015; Sanz-Barbero et al., 2018). These results are similar across cultures as the studies in question included a sample of women from the United States of America, Korea, and New Zealand. Sanz-Barbero et al. (2018) attributed these results to women becoming more conscious of the impact that exposure to violence may have on their

children – as means of safeguarding their children, women were encouraged to actively end the violence.

The South African Police's Response to SGBV

SAPS Victim Empowerment Programme

The former focus of the Victim Empowerment programme was mainly on the punishment of offenders. This retributive approach to justice was critiqued for the destructive nature of incarceration and neglecting the interest of the victims of crime (Makiwane, 2015). In South Africa, the concept of Victim Empowerment programme is based on the government's effort in promoting restorative justice – promoting a more victim-centric approach in the CJS. The rationale for the implementation of the Victim Empowerment policy was to specifically to redress the inequitable services delivery in poor and rural areas (RSA DoSD, 2014) as the policy acknowledges that not all victims have the same access to services. Local research has highlighted the existing disparity in accessing justice between poorer and rural communities in comparison to their rich, urban counterparts (Childline GautengMolebeleli, 2018; Thobane, 2020). The vulnerable status of women in South Africa is additionally taken into account, and for this reason the policy categorizes women as "priority target groups." Also falling under this designation are victims of domestic violence, sexual assault and rape, and child abuse (RSA DoSD, 2014).

The Victim Empowerment Programme (V.E.P.) is therefore the national initiative that includes an intersectoral approach between government and civil society organizations to provide victims of crime access to quality, multi-disciplinary services (South African Police Service [SAPS], 2022). The intended vision for implementing this victim support structure is to empower victims of violence, through an empathic, compassionate approach to facilitate healing, resilience, and especially empower victims to redefine their experience of violence. Victim-friendly support rooms were included in all South African police stations, and part of

the programme's mandate requires all SAPS personnel to be appropriately trained in victim support, domestic violence, and sexual offense courses. It further requires each police station to have a designated victim support room, and lastly, a station order that includes all referrals for service providers and the training of volunteers to assist (SAPS, 2022).

The manual for the Victim Empowerment Service clearly outlines the directives required for SAPS personnel to ensure the delivery of efficient, effective, and accessible service to victims of crime. This also includes offering emotional and practical support as well as providing the necessary information and referrals to support services. At its core, it emphasized the importance of treating victims with "fairness, respect, and courtesy, in private, without discrimination, regardless of circumstances, population group, age, disability, sexual orientation and appearance" (SAPS, 2020, p.5). However, despite the positive intentions outlined, research has shown that the implementation thereof has been challenging.

Attitudes of SAPS Personnel

There are indicators that SAPS personnel display prejudiced attitudes, lack empathy, victim-blame, and are inadequately trained to appropriately assist victims (Kholofelo & Trivivangasi, 2021; Mmamabolo et al., 2020). The protection envisioned in the National Policy Guidelines for Victim Empowerment (RSA DoSD, 2014) are hindered by the behaviour and attitudes mentioned above. Many cases go unreported because of secondary victimization. A study by Steyn and Steyn (2008) echoes this, as it explored the link between underreported cases and re-victimization by SAPS personnel. The highlighted themes from the study indicated that when victims of rape reported an incident at SAPS Pietermaritzburg, the personnel emanated an apathetic attitude, and when taking reports, questioned victims in a manner that was intimidating and threatening. Personnel were also unresponsive and did not provide feedback on cases. Consequently, participants expressed that these behaviours

evoked feelings of fear, anxiety, and shame, which made them reluctant to report or encourage others to report.

Moreover, in their study on the discourses around GBV, Oparinde and Matteau Matsha (2021) noted that survivors are hesitant and less likely to report their incident of violence as they anticipate a fruitless and traumatizing reporting process. The anticipation of an unpleasant experience when reporting to the South African police may suggest that this is a common experience among survivors of SGBV. In a study conducted by Childline Gauteng (2022), 76% of participants indicated that their choice of not reporting incidents of SGBV was because of their lack of trust in the CJS (p.47). Similar results were found in other studies (Thobane et al., 2020; Orchowski et al., 2022). Evidently, SAPS's failure to adhere to their mandate of ensuring the sensitivity, safety, and protection of victims results in a reluctance to engage with and trust the system.

The South African government has, on paper, made progress in addressing SGBV through policy and legislative reforms that are proposed to be more responsive and 'victim-centric.' However, literature has highlighted the breakdown between role-players to address the incidence of violence in an integrated manner. The poor-quality service has largely been attributed to SAPS personnel lacking the training, knowledge, skills, or understanding on how to appropriately assist victims of SGBV (Thobane et al., 2020).

Service Delivery of SAPS

As shown previously, the South African police plays an essential role in shaping and setting the tone for the experience survivors has with the CJS (Mmamabolo et al., 2020; Retief & Green, 2015). Public consensus on the organization's service delivery has characterized it as poor and inadequate (Hoeyi & Makgari, 2021; Retief & Green, 2015). Studies that have explored the public's lack of confidence in SAPS have underscored that the organization itself is faced by challenges that affect the policing of violence. For example,

Molebeleli (2018) investigated challenges to the efficient policing of domestic violence at Ikangeng SAPS police station in the North-West province. Police respondents in the indicated that they are faced with a lack of vehicles and do not have the human or administrative capacity (i.e., forms) to respond to the high intake of domestic violence reports (Molebeleli, 2018).

Similar results were found in the Childline Gauteng report which looked at the perceptions of SAPS's efficacy in responding to SGBV, where 59% of participants expressed that the SAPS personnel who assisted them either had no access to vehicles or a computer to work on (Childline Gauteng, 2022). The lack of SAPS vehicles negatively affects access to the rest of the justice system for survivors of SGBV, as the function thereof is to transport the survivor to the appropriate medical or psychosocial services. Thobane et al. (2020) highlighted how this essentially impedes coordination among other role-players – in their study, survivors who had reported could not be transported to and from the Thuthuzela Care Centre (TCC) to receive medical attention. The TCC conducts medical examinations for victims of rape, provides medical care and counselling, and assists with court preparations to receive medical attention (Thuthuzela Care Centre, 2019).

Conviction Rates and the Attrition of Cases

The performance of the justice system and its response to SGBV in South Africa has generally been measured by the conviction rates of sexual offenders. Between 2016–2017, 49660 cases of sexual offenses were reported to SAPS and only 8.6% of these cases resulted in a successful conviction (Machisa et al., 2017). By way of illustration, the Minister of Justice and Correctional Services, Ronald Lamola, noted that the conviction rate of sexual offenses was 72.7%, remarkably higher than the previous year (Lamola, 2019). Advocacy specialist Jeanne Bodenstein (2019) advises caution when interpreting these statistics, further

explaining that 72.7% of conviction rates pertains to only 5004 convictions out of an average of 50000 reported cases of sexual offenses.

As the 'gatekeepers' of the justice system, the South African police is responsible for whether a case results in criminal proceedings. As Watson (2015) argues, the strength of a case is dependent on the strength of presented evidence, which in turn is dependent on the quality and rigor of investigation done by the South African police. It is acknowledged that the low conviction rates can be attributed to any point in the justice system. The perceived public perceptions of SAPS's incompetencies and apparent poor-quality investigations at reporting stages were also noted to be the greatest contributing factor to the low conviction rates in South Africa. In their cross-sectional study, Sigsworth et al. (2009) found that SAPS personnel did not visit and examine crime scenes, obtain witness statements, or undertake any follow-ups. Moreover, they inaccurately recorded or omitted contact information for victims or witnesses, leading to the labelling of victims as 'untraceable' with the disposal of their dockets. Similar incompetencies were reported by Childline Gauteng (2022), such as discretion in pursing complaints, not complying with the protection order such as arresting perpetrators when orders are violated, or cases going 'missing' – which may suggest that SAPS personnel are disposing of cases, as suggested by Sigsworth et al. (2009).

The insufficiencies of the South African police – their attitudes and demeanor – has been highlighted as a contributing factor for the under-reporting of SGBV in South Africa, as previously discussed. Orchowski et al. (2022) reported that one of the barriers to reporting sexual violence was the lack of faith that victims have in the justice system. Their results illustrate that survivors perceive the justice system as hopeless with little use for them, as many cases that are reported result in no sentencing and participants in the study continue to see their perpetrator "walk free" (Orchowski et al., 2022, p. 3542). This was also attested in Machisa et al. (2017) who noted that "victims often withdraw cases when they have less

confidence in the system to deliver justice and hence wish to 'carry on with their lives'" (p.20).

It is apparent that the extent to which victims receive justice, or not, has been greatly influenced by the discretion exercised by SAPS personnel. It has been found that their decisions on whether to pursue a case are largely influenced by their own biases and perceptions of violence against women. For example, a study by Machisa et al. (2023) identified that SAPS's decision-making on pursing criminal proceedings is influenced by circumstances of the sexual offense – whether the victim was intoxicated (i.e., alcohol consumption) and rape perpetrated in an intimate partner relationship. The exercised discretion differentiates between 'serious' or 'less serious cases, with aggravated circumstances involving injury and physical assault more likely to be pursued and more likely to end in successful conviction.

Restorative Justice for Victims of SGBV

The success of policies and legislation in redressing SGBV in South Africa has predominantly been assessed on the rate of its increase or decrease of its reported prevalence. The concept of restorative justice that victim empowerment programme in South Africa has been premised on has been critiqued in its failure to truly prioritize the needs of victims above all else (Hargoven, 2007). The response to SGBV in South Africa has primarily been looked at from an institutional/structural level and the implementation of policies and frameworks that focus on improving the structures of justice. International studies (e.g., Clark, 2015; Holder, 2015; Jülich, 2017; McGlynn & Westmarland, 2018) have looked at the perceptions and understandings that survivors of sexual abuse, sexual assault, and domestic abuse have of 'justice.' What was highlighted in these studies is that the perceptions participants shared about justice were not centered on the assumed punitive outcomes, such as improved conviction rates or prison sentences – although these were not disregarded.

Instead, emphasis was placed on the subjective perceptions, understandings, and meanings of justice. McGlynn and Westmarland (2019) termed this approach as 'kaleidoscope justice,', which acknowledges the nuances of justice, describing it as "a lived, ongoing and ever-evolving experience and process, rather than an ending or result" (p. 186). When asked to define justice or to use associated words to describe justice, participants mentioned "recognition as justice," "dignity as justice," "voice as justice," and "connectedness as justice" (p. 188-194). To briefly elaborate, participants expressed that justice meant having their experience believed, 'taken seriously,' validated, and to have their treatment humanized because they are more than 'a little bit of evidence' in the justice process. This is similarly argued by Herman (2005), who reports that victims who have encountered the justice system expressed how little they mattered and how the profound impact of their violent experience mattered even less in the justice system: "they themselves were relegated to a peripheral role as witness, useful only as the instrument of the state's agenda, and unworthy of any particular consideration in their own right" (p.15). This underscores how the justice system tends to relegate victims to a secondary position in the process.

Moreover, the concept of justice has additionally been articulated as agency, empowerment, and social transformation (Hester et al., 2023). In the cited study, agency and empowerment were intricately linked to survivors changing the dynamic of power and control in their lives – aspects that were central to the violence that they experienced. Participants' associating justice with social transformation was premised on the expectation of fairness and protection that the justice system failed to give. This prompted participants to get involved with activism and volunteering as a means of fighting for justice for others (Hester et al., 2023).

Chapter Three: Research Methodology

In this chapter I outline the series of decisions that I took designing this study. The chapter starts with introducing the intersectional feminist framework and the intersectional qualitative research design that guided the research process. Thereafter, I provide a reflective discussion on the data collection process. I subsequently outline the six-phase reflexive thematic analysis (Braun & Clarke, 2019) that was employed to reduce and analyze the data. In ending, the chapter concludes with the ethical considerations pertaining to this study.

Theoretical Framework: Intersectional Feminism

In looking at the experiences of women when reporting incidents of sexual and/or gendered violence, an intersectional feminist framework was employed for this study. Although associated with critical race theorist Kimberlé Crenshaw (1989) who coined the term, intersectionality is rooted in black feminism more broadly. The concept arose from black feminists in the 1980s who critiqued the feminist movement's one-dimensional perspective on the oppression of women. hooks (1984) speaks to how early feminism, although speaking to the global oppression of women, was exclusionary, silencing, and privileged in its absence or ignorance of understanding the interrelatedness of the oppression of women – as its exclusive focus on sexism in dismantling patriarchy neglected the relevance of the intersecting oppressions of race and class. Foregrounding this augmented the feminist movement in acknowledging how diverse the social and political realities of women are.

Crenshaw (1989) built upon the aforementioned by terming this concept as intersectionality. It centered on the experience of black women in the United States of America with Crenshaw (1989) similarly critiquing feminist theories, antidiscrimination and antiracist politics that reinforce the marginalization of those who are "multiply burdened" (p. 140). She argues that black women are erased when discussing the analyses of either racism

or gender – the one prioritizes the experiences of white women, while the other prioritizes the experiences of black men, which essentially leaves black women subordinate within both.

Similar to Crenshaw, Collins (2000) goes further with intersectionality in analyzing how intersecting oppressions are organized in a way that essentially maintains inequality. She asserts that, "regardless of the particular intersections involved, structural, disciplinary, hegemonic and interpersonal domains of power reappear across quite different forms of oppression" (Collins, 2000, p.18). As a framework, intersectionality looks at understanding and examining the ways in which social identities (i.e., race, gender, sexual orientation, socioeconomic status, etc.) and systems of oppression (i.e., racism, sexism, classism, etc.) are interconnected and work together to produce and maintain social inequalities (Collins, 2000; Crenshaw, 1989). Understood as the simultaneous entanglement of inequalities (Roth, 2013), the intersectional feminist framework asserts that the oppression women face is not to be understood through gender analysis alone but through the understanding that multiple systems of oppression exist and intersect. With this, it acknowledges that not all women experience oppression in the same way. As argued by Crenshaw (1991), "women of color are differently situated in the economic, social and political worlds" (p. 1250), and as their identities of gender, race, and class intersect, they are marginalized across these identities.

In the context of South Africa, our social identities should be considered in relation to our history of apartheid and colonialization. Adopting an intersectional feminist approach reframes the discourse on gendered and sexual violence in South Africa, articulating the multiple realities of one's experience. Substantial international and local studies on violence against women and children have employed an intersectional feminist framework (see Baird, 2021; Dey, 2019; van Niekerk & Boonzaier, 2019). These studies have underscored how these violences against women are, historically and presently, compounded by systems of

oppression (i.e., racism, classism, sexism) and structural violence. As van Niekerk et al. (2015) argue, in South Africa in particular,

> violence is marked by multiple social drivers, including widespread and racialized poverty, persistent unemployment, and extreme income inequality; patriarchal notions of masculinity that celebrates toughness and risk-taking; extensive exposure to abuse in childhood; access to firearms; excessive alcohol misuse; and weakness in law enforcement. (p.1)

Segalo (2015) concurs and further notes that we are to critically acknowledge the interrelatedness of systems (e.g., service delivery, education, healthcare systems) and their implications in people's lives. Thus, as researchers, an intersectional feminist approach implores that we look at the role of marginalization and the social forces that drive and maintain inequality as it relates to sexual and gendered violence. This framework is suitable for this present study as it will aid in understanding the intersectional complexities of gender, race, and class that are intricately linked when reporting incidents of sexual and gender-based violence to the South African police.

Research Design: An Intersectional Qualitative Methodology

An intersectional qualitative research design was best suited for this study, as it allows for the creation of comprehensive data in understanding the perspective of individuals, in how they experience and make meaning of a particular social phenomenon (Howitt, 2010; Willig, 2013). This qualitative research study undertook an intersectional qualitative methodological approach to gain a comprehensive understanding of the complexities of intersectional inequalities such as gender, class, and race and how they are intrinsically linked and shape the experiences survivors of SGBV have with the CJS.

Oppression, social inequality, and social justice are core elements of intersectional research (Misra et al., 2021). Substantial intersectional scholars have illustrated how

oppression and power are integral to understanding how the lives and experiences of the marginalized, particularly black women and women of colour, are shaped by their intersecting identities. Employing this approach in intersectional qualitative research means understanding that these intersections also function on various levels (e.g., structural, societal, institutional) and takes into account that the experiences of the marginalized are not only influenced by their intersecting identities but are also significantly influenced by the socio-historical context of these identities in relation to the social phenomena being researched (Lutz, 2015; Misra et al., 2021). Integrating an intersectional approach to qualitative research thus prompts researchers to think more critically and comprehensively about social inequalities to better advance social justice.

Participants and Study Context

A mixture of purposive and snowball sampling was employed in this study. Purposive sampling was initially used as a particular sample of participants who shared similar characteristics was intended for the study to provide appropriate and useful information relevant to the research questions (Campbell et al., 2020; Rai & Thapa, 2015). This sample was comprised of survivors of SGBV who have reported incidents of violence at SAPS. Snowballing technique was subsequently utilized as "its networking characteristic can reach populations that feel stigmatized and/or desire anonymity, be particularly sensitive and vulnerable, and require a degree of trust in order to become a willing participant" (Parker et al., 2020, p. 4). Although 17 participants responded to the study advert (see Appendix B), the final sample consisted of 12 participants. Each participant received a R150 Shoprite food voucher and a R20 travelling compensation for their participation. However, two respondents were not eligible to participate, one respondent did not attend the interview, and two other respondents stopped responding to the text conversations. The selection criteria for this study were women who were over the age of 18 and had reported an incident of gendered or sexual

violence perpetrated against themselves to the South African police. Moreover, I did not put limitations on reporting timeframes, but most participants reported an incident that occurred within the last 5 years. Some participants had more than one experience of reporting an incident of sexual and gender-based violence and included all past and present experiences in their interview.

Participants were recruited via the Manenberg Victim Empowerment Programme (V.E.P). The V.E.P. consists of volunteers trained to do victim and trauma support work with individuals who have experienced violence and/or violent crimes. The study advert was distributed by volunteers and the V.E.P. coordinator to clients they have previously assisted at the V.E.P. room. Women interested in participating in the study contacted me via WhatsApp and in turn were asked to recruit friends and colleagues who may have been interested in participating. The V.E.P. coordinator recruited the first two participants, who in turn chain-recruited 10 other participants.

Table 1 below provides a summary of the demographics of each participant. Pseudonyms have been provided for all participants.

Table 1

Participant Demographics

Participant	Age	Area	Incident reported	Year of incident and report	Employment Status
Melissa	28	Heideveld	Intimate Partner Violence	2021	n/a
Caroline	52	Heideveld	Intimate Partner Violence	2021	Unemployed
Melody	22	Heideveld	Intimate Partner Violence	2021	Unemployed
Lwanda	25	Gugulethu	Intimate Partner Violence	2022	Educational Assistant
Nihad	29	Heideveld	Intimate Partner Violence	2022	Educational Assistant
Ruby	45	Heideveld	Intimate Partner Violence	2022	Unemployed
Rhoda	45	Heideveld	Intimate Partner Violence	2006-2023	Unemployed
Elethu	28	Gugulethu	Rape	2012-2015	Educational Assistant
Anathi	25	Heideveld	Intimate Partner Violence	2021	Educational Assistant
Harmony	39	Heideveld	Rape, Intimate Partner Violence, Domestic Violence	2008 - 2023	Unemployed
Tarrah	21	Heideveld	Rape	2020	Unemployed
Alisha	25	Heideveld	Rape, Domestic Violence	2012, 2023	Educational Assistant

Data Collection

Data was collected via individual, semi-structured interviews. The nature of semi-structured interviews allows for participants to flexibly engage with and narrate their lived experiences on their own terms. Its open dialogue and conversational nature (Alase, 2017) creates a collaborative space between researcher and participant to explore the data that is produced throughout the process. Thus, both the participants and I lead the interview as many tangents were explored, particularly with participants speaking about their experiences of reporting and how their lives had changed since reporting. Each session began with a brief introduction, followed by demographic questions, which aimed to build rapport with the

participants. It then followed with contextual questions on their experience when reporting their incident of gender and/or sexual violence (see Appendix B).

The participants attended scheduled interviews that took place in the Victim Empowerment Room, situated at the entrance of Manenberg SAPS. For the study's duration, the V.E.P. room was to be shared between me and the victim and trauma support volunteers – I was expected to conduct the interviews in a room that was simultaneously used for victim support. The room and presence of the volunteers in the same space created some confusion for participants, as one participant accidentally saw Lynette, the volunteer on duty the day of the scheduled research interview. After clearing up the misunderstanding, it was understood that the participant did not receive any information about the study or the V.E.P. room from the friend by whom she was recruited, and the only information given to her was that she needed to see someone by the name of 'Erin.' To avoid this confusion for the remaining interviews and to accommodate myself and the volunteers, Sergeant Landes availed her office for interviews to take place on days that the V.E.P. room was occupied. There were often moments where I waited for participants who were running late. I was also called on to assist the volunteers who were inundated with cases. I have previously volunteered at Manenberg SAPS as a victim and trauma support worker and ended my services at the beginning of 2023.

For the duration of my interviews, I needed to fulfill both capacities as researcher and victim and trauma support volunteer. The interviews were conducted in either English or Afrikaans, according to the participants' preferences. The duration of the interviews varied from 8-54 minutes (averaging 21 minutes) depending on the nature of content – whether the participants only spoke about their experience of reporting or both their experience of violence and reporting. The aforementioned participant who did not know why she needed to be at the V.E.P. room had the 8-minute interview. The participant was extremely reserved and

shy and mostly gestured by smiling or laughing and nodding or shaking her head from side to side as a 'yes' or 'no' response during the interview. Her response to each interview question was extremely brief, and when prompted to engage a bit more she would either shake her head from side to side or keep her follow-up responses brief. Before ending the interview, I briefly went over the questions with her again. When asked if there was anything else that she would like to add about her experience, she said no. Although the participant did not provide me with more engagement, each question was answered.

In reflecting on this interaction, the participant who recommended her to me also lives with her and spoke about their household composition and economic situation. I was prompted to think that the R20 travelling compensation and R150 Shoprite voucher may have encouraged her to participate over and above the need to tell her story. This made me reflect on the prevalence and extent of social disadvantage and systemic barriers in marginalized communities.

Data Analysis

Braun and Clarke's (2019) articulation of reflexive thematic analysis was employed to analyze the data produced. The reflexive thematic analysis approach takes into account the researcher's active role in the production of knowledge (Braun & Clarke, 2019). In each interview, I reflected on how the participants' overlapping identities interacted with the CJS and how systems of oppression (i.e., sexism, spatial racism, and classism) influenced the reporting of violence. This aligned with the study's theoretical framework which sensitized me to understanding how the role of marginalization maintains inequalities in the context of sexual and gender-based violence in South Africa. The researcher's role is at the core of the reflexive analytical approach, as the themes produced are an interpretation of the stories told by participants, that is created at the intersection of the researcher's subjectivity, theoretical assumption, and analytical skills (Braun & Clarke, 2019; Byrne, 2021).

For the purpose of this study, what constituted a theme was based on its relevance to the two research questions. Moreover, the themes that were generated in the study were identified using a data-driven, inductive approach. A qualitative approach was employed to analyze the data. I commenced with a deductive approach, through an intersectional feminist lens, and emerging codes were introduced with an inductive approach (Braun and Clarke, 2006). The intersectional feminist framework was applied throughout the research process and during the analysis. My positionality as researcher was taken into consideration, as well as my own intersections in relation to that, such as my gender, race, class, and level of education – a middle-class, female of colour, completing her master's degree in clinical psychology. Reflecting upon this throughout the research process made me, as the researcher, aware of how my own positionality could influence my writing and knowledge production. Van Witteloostuijn (2018) implores that researchers acknowledge the dynamic of power between the researcher and researched. A way of mitigating this in my own research was being mindful of who I am writing for and how I am representing their voices in my research. Throughout the analysis, I reflexively explored the texts that would be used to appropriately honour and represent the voices of my participants. The selected themes were co-created and produced from the comprehensive experience of reporting incidents of violence, as told by each participant.

Braun and Clarke (2019) propose a six-phase process of analysis compromised of 1. Familiarising yourself with the data; 2. Generating initial codes; 3. Searching for themes; 4. Reviewing themes; 5. Naming and defining themes; lastly, 6. Producing the report. Below, I outline how I engaged these phases.

Familiarising Yourself with the Data

This initial phase entailed me becoming fully immersed in the data as a way of familiarizing myself with the experiences of the participants. I manually transcribed each interview which allowed for better immersion in the data, as I could recall and note certain aspects of body language that had taken place during the interviews. Once transcribed, each transcript was read and reread to capture any meaning and patterns in the data. Throughout the process, any evoked thoughts and feelings were journaled or discussed with my supervisor.

Generating Initial Codes

For phase two, generating the initial codes entailed listing ideas or interesting features and patterns about the data. The codes were generated manually and worked through systematically to identify codes that were repeated across the data set. Each transcript was analyzed independently, identified codes were listed and recorded on an Excel spreadsheet, and as shown in Appendix F, a comprehensive list of codes was identified.

Searching for Themes

Once the data set was coded, phase three entailed analyzing the codes and ascertaining how they may relate to each other to form an overarching theme, shown in Table 2 below (where P1 = participant 1, P2 = participant 2, etc.). The numbers in each column illustrates the number of times the theme came up for each participant.

Table 2

Initial Codes

Codes	P1	P2	P3	P4	P5	P6	P7	P8	P9	P10	P11	P12	Totals
Waiting on a van	1	0	8	2	2	0	4	0	0	0	0	6	23
SAPS personnel very busy	3	3	0	0	1	0	2	0	0	1	0	0	10
Negative attitudes (bad experience)	0	0	0	0	3	0	7	0	0	0	0	0	10
Positive attitudes (good experience)	6	7	4	7	0	7	3	0	5	0	4	4	47
Informed about/referred to V.E.P.	N	Y	N	N	N	Y	N	N	N	Y	N	Y	n/a
Was not assisted because of no 'evidence'	0	0	0	0	0	0	0	12	0	2	3	0	17
Perpetrator known to families	0	0	0	0	0	0	0	1	0	0	0	1	2
Intimate partner	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	n/a	n/a
Financial constraints	0	0	6	0	2	0	3	0	0	0	0	0	11
Reporting was an empowering experience	4	2	2	0	8	5	3	0	9	4	0	6	43
Received psychosocial support	N	Y	N	Y	Y	Y	N	N	N	Y	Y	Y	n/a
Psychosocial support was helpful	0	8	0	0	4	0	0	0	0	3	4	2	21
Obtained a protection order	Y	Y	N	Y	Y	N	Y	N	Y	N	N	Y	N/A
P.O provides safety and allyship with SAPS	6	5	0	4	0	0	1	0	1	0	0	0	17
Breaking generational violence/children	4	3	4	0	0	0	0	0	0	3	0	0	14
Total													215

Reviewing Themes

The objective for this step entailed the refinement of themes, ensuring that each theme was distinctive and encompassed meaningful and coherent patterns of data. At this phase, the analysis was conducted at two levels. At level one, the relationship between codes were reviewed across all potential themes to ensure a coherent pattern (Byrne, 2021). At level two, the potential themes were reviewed to determine whether they appropriately interpreted the data set with respect to the research questions (Byrne, 2021). For example, the theme *reporting was empowering experience* was associated with sufficient extracts. Moreover, *breaking generational violence/children* seemed to also be an aspect of their empowerment, but was not sufficient to be a superordinate theme and was thus created as a subordinate theme of *reporting was an empowering experience*, along with *obtaining a protection order* and *receiving psychosocial support*.

Defining and Naming Themes

It was important that the essence of each theme was captured with a clear analysis of both the data set and research questions. Table 3 below illustrates the formulation of the superordinate and subordinate themes. Chapter 4 discusses how the essence of each theme was captured to describe the overall experience a victim of SGBV has when reporting their own incident of violence, as well as how they make meaning of their experience.

Table 3

Superordinate and Subordinate Themes

Superordinate	Subordinate
The inevitability of delayed justice	
The experiences of reporting to the South African Police	
Evidence	- The *paper*, the *proof*, the *evidence*
	- Silence
Constraints of reporting	
Empowerment	- Resilience
	- The protection order and allyship with SAPS
	- Interrupting the cycle of violence

Producing the Report

The full research report is written up in the findings and discussion section presented in Chapter 4. In keeping with the Braun and Clarke (2019) method, the report entails an analysis of the themes to discuss the data and arguing for this in relation to the research questions as well as existing literature. These arguments for each theme are supported via extracts from the interview transcripts.

Ethical Considerations

The well-being of research participants is of prime importance when conducting research with vulnerable populations. The guiding principles for researchers employing feminist methodologies includes continuous reflexivity, consciousness raising around social issues, considering the implications that the research may pose for participants, and ensuring that their research contributes to the advancement of women's empowerment (Fonow & Cook, 2005). Therefore, rigorous ethical considerations should be met, which includes informed consent, confidentiality and ensuring that participants are aware of the potential harm the research poses. Ethical approval has been granted for this study (see Appendix E).

Informed Consent

Informed consent implies that all participants who would like to partake in the study will be fully informed of what the study entails and their contribution, how their data will be used, and forewarned of potential outcomes (Fleming & Zegwaard, 2018). Informed consent forms were explained (see Appendix C), any questions participants had were answered, and once the forms were signed, the interview began. Thus, the questions before the interview started pertained to how they could go about accessing the services. After explaining the purpose and function of the V.E.P. room at the police station, two of the participants requested that appointments be made on their behalf for later that week.

Confidentiality

Ensuring the privacy of participants is essential in safeguarding them from potential harm (Fleming & Zegwaard, 2018). In explaining consent forms, all participants were informed that the data produced from this study forms part of a larger project – *Unsettling Knowledge Production on Gendered and Sexual Violence* – and that the data produced from their interviews will be used for educational and research purposes. This included their audio-recorded interviews, which were stored on a password-protected device. Given the nature of the research, pseudonyms were used to protect the identity of all participants.

Risk/Benefits

Participants were made aware of the potential emotional distress that might occur when they shared their experiences of reporting gendered/sexual violence. A referral list for support services to organizations that assist with gendered and/or sexual violence was provided (Appendix D). The organizations listed were in surrounding areas and most participants were familiar with the services offered and had previously used them.

Moreover, participants were informed that they would not be speaking about their experience of violence, only about their experience of reporting. Although the lines between

these areas were understandably blurred, clarifying this meant that participants could control the pace of the interview and what they wanted to share or not. Each session ending with a debrief question – and the choice of location for study – allowed for victim and trauma support workers to be on standby, if necessary, but the need for this did not arise. At the end of each interview the participants were additionally informed about the WhatsApp counselling services offered at LifeLine. The details of the organization were forwarded to participants via their contact details provided.

Lastly, my experience as a LifeLine counsellor allowed me to hold a containing space for many of the participants. For many participants, the interview was the first time that they could speak about their incident of violence. The participants expressed that speaking to a stranger felt more trusting than speaking to family or friends (Sikweyiya & Jewkes, 2012). Thus, although they were reminded that they did not need to speak about the violence itself, only their experience of reporting, they all felt comfortable to continue. The interview evoked strong emotions for three of the participants, and during those instances I acknowledged and remained present with what they were feeling and encouraged breaks. The nature of the research topic and the interview questions were bound to evoke feelings and thoughts for myself and the participants, of which I journaled and reflected upon weekly.

Chapter Four: Analysis and Discussion

In this chapter, I discuss five dominant themes and sub-themes: the narratives of SAPS's response time; narratives of SAPS service delivery; evidence narratives; narratives about the constraints of reporting; and lastly, narratives of empowerment. The chapter starts with a discussion on the narrative of *the inevitability of delayed justice* and explores the experiences participants have had when reporting their incidents of violence. Narratives of *the experiences of reporting to the South African Police Services (SAPS)* explore the reception given by SAPS personnel and the ways in which this shaped how participants see themselves in the justice system. *Evidence narratives* are subsequently discussed and provide insight into how participants navigated their lives after being failed by the justice system and their families. Narratives of *the constraints of reporting gender-based violence* explore how socioeconomic vulnerabilities impacted reporting incidents of SGBV. Lastly, e*mpowered narratives* explore the nuances of what the process of reporting meant to participants, despite their experience of reporting itself. In this chapter, I offer a reading of the aforementioned narratives. Such a reading is grounded on an intersectional feminist lens to fully explore the realities that black women and women of color face when reporting an incident of SGBV to the South African police.

Theme One: The Inevitability of Delayed Justice

Reporting an incident of violence to the South African police does not imply an immediate response. For the participants, the period of waiting to be assisted evoked strong feelings of reconciling themselves to the fact that they had no choice but to wait until their report of sexual or gendered violence was attended to. The following narratives on SAPS's response time to the participants' reports of violence were expressed across interviews.

Waiting narratives were commonly expressed in the dataset. In this narrative, participants either called to report their incident of violence or they reported in-person at the

SAPS police station. What permeated throughout this narrative is how uncommon it is to have your call or report attended to immediately. Melissa framed it in this way:

> Melissa: "It was a very nice experience, I was shocked, because I was thinking other people say, 'you phone the police and they never come' (Int: Mm) and the next moment, I was like, then the neighbour told me, 'wow, what did you then do for them to come out so quickly' (laughs)."

Melissa's extract is indicative of the standard experience survivors of SGBV have when reporting an incident of violence. Her laughter also indicated a lot of relief in having such a contrastingly different experience of waiting and having her call of violence attended to, compared to members in her community (Manenberg), reflecting how 'rare' a quick and efficient response time is when reporting an incident of violence. The comments made by the community members, "You phone the police they never come," and "What did you for them to come out so quickly," encapsulate the shared and general experience of SAPS's response time to calls of violence in the Manenberg community. The more 'regular' and 'expected' experience of waiting is highlighted by Alisha and Rhoda who expressed the following:

> Alisha: "I was sitting here by the police station; I was waiting for the van to come. That van that was available, from the time that I was here, was probably to 6, 6'oclock, ne, that van only came here, I'm not gonna lie to you, half 10, to 11".

Above, Alisha describes her experience of reporting a week after experiencing an incident of intimate partner violence (IPV), as she was beaten too badly to report it immediately. She expressed, "I couldn't come the same time because why I was like pap [weak]. Ek was pap gemoer [I was beaten until I was weak] and whatever." However, when she found the strength to report a week later, joined by a friend, she needed to wait up to five hours before being assisted. As the response by the constables assisting was, "Look here, there's not a van available now…if you gonna make the case, you can stay and then you can

wait until there comes a van," Alisha is instead faced with an ultimatum to either wait five hours to be helped and have a case opened or to go home and receive no help or justice.

> Rhoda: "They could've helped me faster here, when I, while I was waiting here, a van could've come long time because why, that was, it was serious, it was serious the way he has beaten me. And I was supposed to get a van here and go from here [the police station] to his house, not go home and wait at home for a van to come…"

In the long waiting periods between reporting and waiting for a vehicle to be available, participants were not helped beyond being told that no vans were available. This has dire consequences for survivors of sexual and/or gender-based violence. The inability to efficiently respond resulted in participants reporting the same perpetrator of IPV more than once. In Rhoda's case, it was the second or third time reporting her partner. This may suggest that the violence experienced was greatly worsened, as Rhoda expresses, "It was serious, it was serious the way he has beaten me." Through an intersectional lens, this underscores how systemic oppression and discrimination is manifested for women of colour.

The experiences of the participants interviewed may suggest that SAPS do not attend to calls of violence or reports made at the police station. In this study, the lack of vehicles has been highlighted as the main cause of this. These findings are consistent with research on the lack of resources (i.e., lack of vehicles) hindering the South African police from efficiently responding to calls of SGBV (e.g., Bahula, 2022; van Niekerk, 2017). Similar to the location of this study, the areas in which these studies took place were under-resourced, poorer communities. This gives an indication that the shortage of SAPS vehicles is situational to certain areas, areas wherein black women and women of color predominantly reside (Childline Gauteng, 2022; Molebeleli, 2018). I consider this to be an instantiation of the systemic disadvantages that they face in their daily lives. This is consistent with the literature that has identified disparities in the allocation of resources in poor communities, which are

primarily made up of black people and people of color (Childline Gauteng, 2022; Molebeleli, 2018; Thobane, 2020).

The narrative of waiting continues from waiting on a van, to waiting before being attended to by SAPS personnel. Attending to reports of SGBV incidents seemed to not be a priority, as participants expressed how busy SAPS personnel were with attending to other crimes. This reinforces the assertions made by Retief and Green (2015) on the priority of "hardcore crimes" (p.138), particularly by male police personnel. To follow are excerpts of two participants: Harmony, who reported an incident of sexual violence, and Rhoda, who reported an incident of IPV. Both reported their incidents of violence immediately after the experience thereof, and were visibly in need of assistance yet neither were helped:

> Harmony: "No, it's fine if I explained that. (Int: Okay, sorry for that. Sorry I just want to make sure that you are comfortable). I am comfortable. It is something that I want to speak about, I am speaking it out with the kids as well. So, I came to the police, so I saw the police are busy, so I said that I'm going to my granny quickly to drop my kids, my one kid, then coming back."

Above, Harmony describes her process of reporting immediately after the violation she experienced. In her excerpt, Harmony's experience of reporting her incident of rape is compounded by her social identities – as a woman, as a woman of colour, as a poor woman of colour, and as a mother. Her gendered responsibilities in providing care for her children, despite her experience of violence, take precedence; and although unemployed, she needs to travel to and from the police station because of how busy they are. Harmony's multiple marginalized identities evidently intersect and shape her experience of reporting her incident of violence. Below is Rhoda's excerpt:

Rhoda: "Ja, they was helpful, but very rude ok not rude, I won't say rude, but you know frustrating and so because they were very busy at the moment with the, with the other case – a shooting case."

Similarly, through an intersectional lens we are able to contextualize Rhoda's experience, as a woman of colour residing in a household and community marked by violence. Although she is frustrated and grapples with the lack of acknowledgement, she understands her standing within the justice system. In both of the above extracts, participants foregrounded their experiences of reporting by graphically describing their incident of violence. Although I reassured them that they need not go into their experience of violence itself, they reassured me in turn that they were comfortable to continue. This interaction allowed me to reflect on their urgency in needing to tell their story.

The inferred direction to 'wait before being attended to' has impeded survivors of SGBV in accessing designated services at South African police stations. As a result, survivors who hope to report their incident of violence are met with overcrowded police stations and overburdened personnel and are not given priority despite the severity of violence (Retief & Green, 2015). The frustration and urgency expressed by Rhoda in her extract encapsulates this. Harmony's decision to leave and instead take the opportunity to attend to her children's safety first – as they lived with the perpetrator – and return to report her case of rape further epitomizes the nuances of reporting. It illustrates how the institutional failures further reinforce the gendered, racial, and class vulnerabilities of black women and women of color and the experiences of not being prioritized by a system that is mandated to do so.

In the following extract, Melissa encapsulates the normative experience of the services that black women and women of color have access to. Melissa's experience reflects her interactions with not only the justice system but her general access to service delivery in her expectations and understanding of waiting, "everywhere, in every way."

> Melissa: "Ja, a lot of people come here, like, and say no, this, and that, but SAPS is there for us… So, you must come in a decent way, they there for you, to listen to you, so you must be decent, you must also wait. Everywhere, in every way you need to wait before you get help. So, you need to wait."

Melissa's emphasis on "you must wait" and "you must be decent" illustrates her experiences of needing to first be the 'good' or 'compliant' victim before receiving help. Intersectional feminism brings to question this notion of 'respectability' and which victim is more deserving thereof (Long, 2021), which alludes to the idea that certain women are more deserving of sympathy and support.

Evidently, institutional barriers, such as the overburdened/understaffed and under-resourced (i.e., lacking vehicles) policing service further obscure access to justice for survivors of SGBV who are already disadvantaged. In highlighting these barriers, the location of Manenberg SAPS should be taken into consideration. The Manenberg community, situated on the Cape Flats, is characterized by high levels of gang control and gang violence, with a murder rate that is largely attributed to this violence (Thomas & Pascoe, 2018). Consequently, SAPS personnel are at their human capacity, yet attending to multiple incidents of violence, which results in the overshadowing and deprioritization of the violence that women are experiencing in their homes and evidently in their communities. I note this as the deprioritization of women and the violence they are experiencing, as it is stipulated in the National Policy Guidelines for Victim Empowerment (RSA DoSD, 2014) that women and victims of domestic violence, sexual assault, and rape are considered priority target groups.

Additionally, the unequal distribution of resources in poor, under-resourced communities has been identified by the Khayelitsha Commission in 2014 that resulted in a litigation process to review the distribution of SAPS resources as discriminatory on the grounds of race and poverty (Mzakwe, 2020; Redpath & Nagia-Luddy, 2015). This highlights

that poor, black communities with the highest levels of violent crimes have the least allocated resources – illustrating systemic oppression from an intersectional feminist standpoint.

Theme Two: The Experiences of Reporting to the South African Police Services (SAPS)

The South African police is known to be the primary contact, protection, and hope for victims of any violence or violent crimes (SAPS, 2022). The interaction with SAPS personnel when reporting fostered strong feelings of belittlement and disappointment among participants. The experience of violence is known to be traumatic. SAPS as 'first responders' are intended to mitigate the traumatic experience by delivering services that are empathic and trusting by ensuring that victims are treated with respect and dignity (SAPS, 2014). This helpful, supportive, and safe experience was highlighted in the study when Alisha expressed that the police station was her "safe haven" and that she felt at "home" when SAPS personnel assisted her with a case of IPV. A positive experience established a sense of deep trust in the justice system, as she reported more than one incident thereafter and formed relationships with a few personnel who she knew by name. Alisha's experience of SAPS's service delivery suggests the ideal experience for victims of SGBV. However, contrasting experiences to Alisha's reflect how deeply traumatic and revictimizing reporting can also be, as illustrated by Rhoda and Nihad below:

> Rhoda: "No, I'm not okay with how they handled because why sometimes they think, they take people for nothing, the way they talk to the people. It's as if, ug, it's as if, uhm, uhm… That's why I sometimes say this police station is only, this people who work here, is only for their wages and not for the assistance of the people who come here (Int: mm, mm) and that happens, that happens, every time that happens… They want to talk to the people as they like and it's not, it's very, some of them are very rude."

In the above extract, Rhoda provides insight into how she perceives the attitudes of the SAPS personnel towards her. She expresses a sense of not being valued, stating "they take people for nothing" and referencing how this is a repeated experience for her (i.e., each time she has reported an incident of IPV). Through an intersectional feminist lens, we are able to contextualize Rhoda's experience as a marginalized woman of color in the justice system. Long (2021) illustrates the disparate experiences between victims who are marginalized in comparison to their white, affluent counterparts. She highlights which victim is more worthy of truly being heard and seen by counter-powers and how this is largely influenced by their socio-economic status, race, and gender (Long, 2021).

> Nihad: "Ja, because why sometimes I came to SAPS and I would report, do you understand, it's almost like they want to make sure you do want to make the case. At the end of the day, taking the case is gonna make sure that there is a case then I have to go, do you understand. But now, having like an attitude and saying, "it's too much paperwork, I can't," do you understand. That is what happened to me here at SAPS."

Above, Nihad narrates her experiences on how instead of being rightfully assisted, she is discouraged from reporting her incident of violence because it is "too much paperwork." This evoked strong feelings of uncertainty in leaving her relationship. For someone like Nihad, who at the time resided with her perpetrator, the failure of SAPS to provide her with the necessary support and protection heightened her vulnerability to violence and undermined her safety. This underscores how the lives of women are undervalued and unsafe (Gqola, 2021). The severity of Nihad's experience of violence was highlighted when she expressed, "So, I thought to myself, 'either way I'm gonna kill you or you gonna kill me' because of the way it's going." Yet, her access to justice was denied on the basis of "it's too much paperwork, I can't." It should be noted that this would be the second protection order obtained against the perpetrator in question. According to Nihad, one was already obtained

during the perpetrator's previous relationship. This may suggest that the perpetrator is not a first-time offender of IPV. It is worth noting that there is an absence of literature around the protocol of the judicial system if the perpetrator has more than one protection order against them by two different defendants.

Rhoda and Nihad's experiences highlight how disempowering reporting can be. The ways in which they express their frustration at not being treated as a human deserving of sensitivity, kindness, and sensitivity is reflected in what their interaction with SAPS personnel felt like – "this people, who work here, is only there for their wages," and "they want to talk to people as they like." Rhoda's frustration was quite palpable when speaking about her experience. Nihad expressing, "at the end of the day, taking the case is gonna make sure that there is a case then I have to go" underscores how the initial step of reporting is a breakthrough for many victims of SGBV who are able to leave an abusive relationship. However, for Nihad, reporting evoked feelings of uncertainty in leaving her abusive relationship when her right to access justice was dismissed on the basis of it being "too much paperwork." Similarly to Rhoda, this may have also fostered feelings of not being seen as more than just another case or a burden to the system.

This discouraging and disempowering feeling evoked by the insensitive attitudes experienced by SAPS may also contribute to the narratives around hesitancy in reporting an incident of violence. Two participants expressed initial hesitancy and uncertainty in reporting their incident of violence. This is important to note, as with the SAPS response time, similar ambiguity was experienced by participants and community members with regards to their anticipated interaction with the SAPS personnel. In responding to being asked about their experience of reporting, Anathi and Caroline expressed that they anticipated that they would not receive good service:

Anathi: "So, at first I was a bit scared to go report, ne. Because I didn't know what will the police say. So, but, when I went there, there was a lady who was helping me. Sure, so she was, very helpful, you could say. Like, uh, she, I found her, she was understanding. She had time to listen to my problem. And uhm, give me great service because she, uh, waited for me to explain bit by bit. And, then after, she suggested what I do next."

Caroline: "Something good came out of it, something good came out of it. I thought, okay, because I told my sister, 'You know what, I think going down to Manenberg will be a waste of time, but I think I'm gonna take a walk anyway.' When I came and I was surprised, I was stunned, wow, they were on top of it."

The hesitation in reporting because of the anticipation of not receiving a good service underscore how the intersecting oppressions influence the experience of reporting for black and coloured women. The enduring legacy of apartheid has systematically discriminated against and disadvantaged black people and people of colour, particularly in the outcomes of justice (Muntingh, 2013). It is clear from Anathi and Caroline's hesitancy in reporting because of the anticipation of not being helped and by the stories told of people in their own communities that black women and women of colour remain vulnerable to experiencing intersecting forms of oppression. The expected discriminatory treatment, lack of empathy, having their experiences minimized, and the dismissive attitudes of SAPS personnel demonstrate the additional challenges that poor, black women and women of colour face when interacting with the CJS.

There is evidently a deep mistrust in the South African police service to protect and provide justice for victims of violence. Oparinde and Matteau Matsha (2021) have noted SAPS to be generally neglectful when attending to cases of SGBV. There is thus an appreciation that some victims of SGBV perceive reporting as futile and further traumatizing.

Theme Three: Evidence Narratives

The expectation and hope that justice will be served (i.e., the perpetrator will be apprehended) or that the violence experienced will end incites many victims of sexual and/or gendered violence to speak out and report. The narratives around evidence emerged from the experience participants had when reporting an incident of rape and needing to 'prove' it. This type of required proof necessitated a medical report. The narratives told by participants presented in this theme, namely *the paper, the proof, the evidence* and *silence*, explored the sense of hopelessness and fear fostered by the justice system when participants were not helped, in the absence of 'proof,' when reporting their incidents of rape.

The Paper, the Proof, the Evidence

When reporting an incident of sexual violence (i.e., rape), 'proof' thereof is produced by a medical report from a Thuthuzela Care Centre (TCC). The TCC conducts medical examinations for victims of rape, provides medical care and counselling, and assists with court preparations (Thuthuzela Care Centre, 2019). The results of this study indicated that participants were not assisted when reporting an incident of rape as there was no 'concrete evidence' (i.e., medical report). The following is account of Elethu, whose perpetrator attempted more than once to rape her before actually doing so. When she built up the courage to report two to three weeks after the incident, a SAPS constable 'advised' her that the 'next time he does it' she should instead get a medical report immediately, if she wants to be assisted:

> Elethu: "…so they needed the page, the paper that says I did get rape… I didn't go the day, then they needed the paper and the proof… But they did nothing about that, they say next he does that I must go same time. So, I didn't get help on that… They didn't arrest him because there was no proof. They said that there was no proof that he did rape me."

In the second instance, Tarrah first reported her incident to SAPS. Before furthering her case, they advised her to get a medical report from the TCC. However, because there was a 'lack of evidence,' they could not assist her. In turn, SAPS could not continue her case. In the third instance, Harmony was informed at the TCC that no case can be made as the perpetrator used a condom during her sexual assault. Consequently, no case could be made at SAPS either, other than her information being 'logged onto their system.' With no justice received, 16 years later, Harmony continues to see her perpetrator as they reside in the same area:

> Harmony: "And like now, I can't walk at the station. I can't. I don't trust. I am too scared to walk anywhere. I still have that fear… And they told me here, he did plan it. Because there is no evidence actually because it was condomized. He used a condom, so they couldn't get nothing at Thuthuzela."

The reporting process for victims of sexual violence is greatly influenced by the requirement of 'concrete evidence.' For both Elethu and Harmony, justice was not received as a result of decisions that were out of their control. Elethu had further expressed in her interview, "I went afterwards because I was scared," and it has been well documented that delaying reporting an incident of sexual or gendered violence is a common trauma response for survivors of sexual violence (Haskell & Randall, 2019). Elethu's fear of reporting was also shaped by her living circumstances, as her perpetrator was her uncle. She had been living with her aunt and uncle since her mother was no longer able to care for her. Through an intersectional feminist lens, the dynamics of sexual violence, particularly for marginalized women, seems to be neglected by the justice system. A strong feeling of hopelessness was evident when Elethu shared her experience of reporting and not receiving justice. For Elethu, this experience has permeated into her motherhood, as she expressed "Yes, yoh, I'm very overprotective… Yoh, they stay indoors every time" – which could be seen as an attempt to

prevent the possibility of any violation, as if anything were to happen, nothing would be done, a reality faced by many women and children in South Africa.

In this study, it was evident that in the absence of evidence neither the word of survivors nor the recurrent action of the perpetrator is enough to be assisted by SAPS. This perpetuates the idea, as emanating from activism around sexual and gendered violence, that perpetrators are more protected by the justice system than women and children. Rightfully, the requirement for evidence is imperative in the prosecution of rape cases. Yet it is important to reflect upon the manner in which poor black marginalized women are treated in the absence of 'concrete evidence.' Their experience of rape is neither acknowledged nor recognized. This reinforces the invisibility of marginalized black and coloured women in systems of power and the erasure of their voices and their experiences of violence.

The Silence

This sub-theme emerged from participants who reported their incident of violence at a younger age and were not supported by their caregivers. 'Silence' emerged from the stories told of the secrecy around abuse and the protection of perpetrators in families. I thought it was important to include because the silence of their caregivers reinforced that their (participants') voices and experiences were not valued, especially in the absence of concrete evidence. The two participants who reported an incident of sexual violence, Alisha and Elethu, mentioned that their perpetrator was a foster parent (i.e., father) or an extended family member (i.e., uncle). The perpetrators and the actions in question were neither new nor unusual to the families. At the time of reporting, the participants were between the ages of 15 and 16 years old. Before their incident of violence, participants confided to their caregivers about the actions but were not believed. This influenced the trajectory of the violence and their reporting process with SAPS because in the absence of concrete evidence, the response

received was "it's your word against his." The following extracts by Aisha and Elethu highlights this:

> Alisha: "Here I also hear here he did it already to his own daughter and like why didn't no-one like tell me this and they knew I was starting to live there and whatever."

In the above excerpt, Alisha narrates her story as a 15-year-old girl who was raped and impregnated by her foster father. Now at the age of 25, Alisha is raising a daughter and in telling me her story, cried at the intrusive thoughts she has had as a young mother. Alisha's questioning, "Why didn't no-one like tell me this and they knew I was starting to live there" sheds light on the secrecy in familial and community settings which reinforce the protection of perpetrators. It simultaneously highlights how fear is manufactured to 'silence' women (Gqola, 2021). Below, Elethu tells me her own story of not being believed by her caregiver aunt:

> Elethu: "He really wanted to rape me and then I told my aunty that, but my aunty didn't believe me… Ja, it was just normal because she knew that he can do it (Int: Mm). Because, he was very, he was a very rude husband. He, she, knew that he can do it."

Silence around sexual violence was shown to be implicit in families. The factors that influence these silences remain complex. As stated by Parpat (2010), "silence and secrecy can take many forms and serve many purposes. They can reflect disempowerment as well as innovative strategies for survival in dangerous circumstances" (p.24). In the above findings the families (i.e., foster mother and aunt) were also victimized by the same perpetrator, as told by participants – Elethu had expressed "Ja, it was just normal because she knew that he can do it (Int: mm). Because he was very, he was a very rude husband. He, she, knew that he can do it…" Thus, understanding the dynamics of reporting SGBV in South Africa requires

being cognizant of the factors that may shape the choice of remaining silent. Mathews et al. (2016) discusses the complexity of disclosure and reported similar findings of keeping incidents of child sexual abuse a 'secret' or 'hidden' from other family members. They also found that caregivers themselves are victims of childhood sexual abuse, victims of IPV, and are burdened by unemployment and poverty (Mathews et al., 2016).

Theme Four: The Constraints of Reporting Gender-Based Violence

Financial constraints significantly influenced the reporting process for participants. Factors such as unemployment or the perpetrator being the only breadwinner in the family influenced participants' decisions in either withdrawing their cases against the perpetrator or not being able to attend their court date. The following is the account of Melody who needed to prioritize a possible job opportunity over attending court to complete the protection order process:

> Melody: "I didn't go because I couldn't go. I couldn't go because why, I'm unemployed and I was job hunting that time. I couldn't worry about my face, and I went… That day I heard about they looking for girls in Epping, in Bonteheuwel, and so I went there and I didn't go to court."

Economic vulnerabilities have been noted to be one of the prominent barriers in women seeking justice (Mutambo, 2023). The following participant expressed hesitancy in continuing her case as her perpetrator was the breadwinner, her partner, and father of her five children. She further expressed that the judge intervened in her decision to withdraw and encouraged her to proceed with the case. The following is a sequence of her extracts in speaking about her experience of reporting:

> Rhoda: "As the magistrate also said by the interdict room, by the interdict court – he was supposed to protect me for the 17 years, but he abused me and as from that day she said she's going to protect me… It's better now because he can't enter the home…

> I wanted to withdraw the case as you know mos, if you don't work, if you don't work, you have five children… Ek wil nie hê en eintlik die sak terug trek, want uhm, hy moetie vry kom nie. Is ma nou net hy is my enigste inkomste en ek het mos nie all-pay en die nie [I do not want the case to be withdrawn because charges will be dropped and he will be free. But he is my only source of income and I do not receive a social grant (all pay)]"

Moreover, the process of obtaining a protection order was exasperating for a participant who had neither the funds nor the support to be transported to and from the magistrate's court. She expressed that the lengthy and financially taxing process not only contributed to her intention of withdrawing the case but continued the abuse.

> Nihad: "You have a problem immediately; you want him out immediately. Now you have to get transport, you know, that time I didn't work and there wasn't money, you understand. And no-one gives you money or anything… So, it's up and down, up, and down. You know why people stay, like, in an abused life, because there's no patience to do all that stuff, do you understand? (Int: Yes because I'm also thinking…). Now you have to go there, back again, there, back again, where you can just drop it. You went, you make the interdict, but you don't even have transport, or now I have to go back, you just drop it and then the abuse just goes on."

Unemployment and poverty profoundly affected the decision-making process for participants in this study. An intersectional feminist perspective elucidates the socioeconomic and geographical vulnerabilities that black women and women of color are faced with when reporting an incident of sexual and/or gendered violence. Being constrained by circumstances to choose between either an opportunity for employment or a protection order against your perpetrator, prioritizing shelter and feeding your children or not having the financial means to

go to and from court to finalize your protection order, should also illustrate how the spatial apartheid system continues to permeate and perpetuate the cycle of violence against women.

Theme Five: Empowered Narratives

The feelings and meanings attributed to empowerment were quite a nuanced and prominent theme. How participants made meaning of their experience of reporting underscored the sense of empowerment derived from having the courage and strength to end their experience of violence. The stories told by participants illustrate that it was the decision to end the violence and take any action, despite how small, that empowered them. The following narratives, namely *the resilience when supported*, *the protection order and allyship with SAPS*, and *interrupting the cycle of violence*, explore the participants' experiences of feeling and being empowered.

The Resilience When Supported

Psychosocial support in the form of counselling, social services (i.e., shelter and unemployment), and community support serves as a protective factor for survivors of sexual and gender-based violence. It empowers and fosters a sense of resilience within participants, and the narratives of the women in this study demonstrated that not all were fortunate enough to leave their abusive relationship, but the support received mitigated their experience of violence to a great extent.

Through the help of Saartjie Baartman Centre for Women and Children and the mosque in her community, within four months since leaving her abusive partner, Nihad found a home for herself and her children, got an I.D. and birth certificate for her children and applied for financial assistance at the South African Social Security Agency (SASSA). She is now employed and runs her own small business. This is her account of impact of the help that she has received:

> Nihad: "…they, uh, helped me with a lot of stuff, like speaking to me, counselling and that is how I overcame-came it. Like, because I was sad, I was miserable, I was broken and all of that and they helped me… I didn't need him for anything… Because the time, the time I had there, it's like the time I could sort myself out. I could, you know, think more about myself, my children, ja."

Caroline similarly expressed how helpful counselling and shelter assistance would have been for her mother who, too, was a victim of IPV, as it is for Caroline and her family now:

> "I had the best experience. Ever since I know of, my mother's, from my mother's time, how I saw my mother was abused by her husband. I think back then they should've had (?), then a lot of things would've been different… I don't feel depressed anymore… Because I've got help, now I can even help my own family."

Nihad and Caroline's accounts illustrate the positive outcomes that receiving social support had on their well-being. These positive effects of psychosocial support services are consistent across literature in assisting survivors with social inclusion and economic opportunities (Amisi et al., 2018; Machisa et al., 2018). These studies showed that receiving social support was strongly associated with resilience among participants, who were victims of IPV. The results of the current study have highlighted how different the experience of empowerment and receiving psychosocial support is for women. It is important to note that in the instance of Caroline, although she reported and received the necessary social and counselling support, her socioeconomic circumstances have confined her to remain with her perpetrator and the support received only aided in empowering her to mentally and emotionally mitigate the abuse that she experienced. This underscores the realities of reporting and receiving support for marginalized women.

The Protection Order and Allyship with SAPS

Paramount to the South African government's legal response to GBV is the protection of victims. The Domestic Violence Act 166 of 1998 makes provisions for this through obtaining a protection order. Six of the participants have taken out a protection order against their perpetrator. In most of these instances, the participants still lived with the perpetrator (i.e., partner). The protection order empowered the participants to defend themselves against their perpetrator by reminding their perpetrator about the consequences of violating the stipulated conditions thereof.

> Melissa: "…that person now know that we have a protection order, so they won't bother. Because they know I take my things, if I come to the police station they will be locked up."

She later expressed and giggled about how she 'protects' her protection order. "It still looks new (laughs)," she said. She then continued to explain her process of action if her perpetrator attempts to do anything to her.

> Melissa: "Back in January I told him, "Did you forget about this thing?" … So, if I, if something happen like now and I feel no man, you not treating me fair or right, or whatever, then I can take my thing and come to the police station and they have the, the SAPS can assist me, because if they read through my thing it is a grant, it's granted for me…"

This was a similar experience for Caroline:

> Caroline: "For me, like… Someone the other day, "Ja, you think since you have this peace order against your husband you can just wave it around," but it's nothing like that, for me, I feel safer… Knowing there's a place [the police station] where you can come and that the people here in front [SAPS personnel] is so helpful and they caring, it makes you feel like 'I can face the world'."

A protection order outlines conditions that will safeguard the victim from future violence and it serves to empower victims with the support of the law (Ncube, 2021). It is evident in this study that the protection order provides a fight-back response for participants and fosters a sense of allyship with SAPS. This sense of protection and dependability found in SAPS reinforced the purpose of the protection order for participants.

Interrupting the Cycle of Violence

The ways in which participants made meaning of their experiences of reporting illuminated their power in profound ways. For many, the experience of violence was not new. Many participants grew up in households where domestic violence or IPV was present. The realization of this intergenerational violence prompted and empowered many to interrupt its cycle when raising their own children. The following extracts by Melissa and Melody encapsulate this:

> Melissa: "It has always been happening then one day I just, like, no man (Int: Mm, mm). Because I have, I have two boys now, so it was their father that I was involved with. Always fighting, and uhm, speaking ugly, and so I thought like, no man. I have these two children now, so somewhere it needs to stop (Int: Mm). Because one day for them also, taking a wife, they gonna think it's the same way, that it's normal so they also then have to do that. So, I had to stop that."

Melissa's extract conveys her concern regarding the modelling and normalization of violence within the context of an intimate relationship. Her statement, "somewhere it needs to stop" and "I had to stop that" shed light on her personal encounter with IPV during her upbringing, as well as the perpetuation of this into her adulthood as a woman and now as a mother. The reflection of her own upbringing gave meaning to understanding how her sons could potentially grow up and become perpetrators of violence against women. Below,

Melody expresses a similar concern towards raising her daughter and her growing up and being a victim of IPV:

> Melody: "Things changed because why I left him. Because why, I couldn't see that he's gonna do this to my daughter. Because I was raised like that, I was raised like that, so I couldn't do that to my daughter."

Melody's recognition of her own upbringing, where she witnessed her mother as a victim of IPV, influenced her trajectory of being in an abusive relationship. It is noteworthy that Melody's mother, Rhoda, also participated in this study. Her narrative of her experience of abuse provided context for the extent of abuse that Melody was exposed to. Melody's statement, "I couldn't do that to my daughter," underscores her commitment to protecting her own daughter from IPV. Ending the cycle of violence and seeing their children as their younger selves was a shared experience for the participants. Participants were empowered by exposing their children to a different life trajectory than their own. Women proactively ending the cycle of violence is consistent across literature (Fanslow & Robinson, 2010; Kim & Lee, 2011; Mookerjee et al., 2015; Sanz-Barbero et al., 2018). Notably, the concerns articulated by both Melissa and Melody regarding the potential effects of IPV on their children highlighted their recognition of the intergenerational nature of the violence that they have experienced.

Substantial international and local studies have shown the relation of IPV exposure in childhood and IPV perpetration or victimization in adulthood, as well as how gendered the impact of its trauma is; accordingly, boys witnessing IPV are more likely to perpetrate whereas girls witnessing IPV are more likely to report IPV (Fanslow et al., 2021; Gass et al., 2011; Roberts et al., 2010; Wolbers et al., 2023). It is possible that the differences between the socialization of boys and girls may be foundational to this phenomenon, perpetuated by the patriarchal notions of power, dominance, and control over women. Historically, culturally,

and socially, boys and girls are socialized and exposed to these dynamics which influence their perceptions and experiences of the world.

In addition to protecting their children, the participants' reflections on their sense of self in relation to their experience of violence enabled them to seek justice. The results of this study have highlighted that the act of reporting their incident of violence – despite the experience thereof – enabled the women in this study to reclaim their power and identity and reconnect with themselves and others. As expressed by Nihad and Tarrah:

> Nihad: "I'm more happier and my children is, and my, uh, when I was with I was, like, miserable, don't even want to go work, now I want to go work… I left with my children. Then I, how can I say, I realized no man, I'm more than this, more worth, more value..."
>
> Tarrah: "It changed myself and that because when that happened I was quiet, didn't bother much with nobody, didn't go with my family out, nothing. Now I'm the old me… going to church, doing things I like… I communicate now a days a lot with people. I'm more interactive than what I used to be…"

Apart from the emotional and physical effects SGBV has on survivors, research has also shown its impact of their selfhood (their identities, their self-efficacy) as well as the internal struggle that healing from SGBV entails – regaining their power and the control and agency over their own lives (Flasch et al., 2017; Sinko et al., 2021). The results from the present study denoting the empowering experience of reporting are consistent with the themes found in the cited studies. The phenomenological study conducted by Flasch et al., (2017) on the journey to recovery from IPV identified the intrapersonal process that is involved. Similar to the present study, participants in their study expressed how disempowered they felt and how damaged their self-worth and self-esteem was. However, once making the choice, they regained their power and control over their own lives and

embarked on various endeavors, particularly within their careers. Another theme they highlighted that was also prominent in the present study was navigating intimacy and romantic relationships after leaving an abusive relationship. The context of Nihad's extract included the boundaries that she has established with regards to entering new relationships, as she expressed, "…I'm not gonna cry and make a fool or fight, no, you understand. And, and, if I don't like your tone, I'm gonna tell you, you don't shout at me, you leave, no, you understand."

Moreover, the process of empowerment and healing was also found in participants giving back to their own communities. The following is an extract from Ruby, who attended a course on GBV, fostered a good relationship with the Sergeant at the Manenberg police station, and now helps the police station her community by occasionally volunteering with the Victim Empowerment Programme and in the neighborhood watch:

> Ruby: "I walk with them [Sergeant and colleague], I help them in the community… Then I started helping them here [V.E.P. room] with any case I can help with, children, or catching bad guys. It's lekker to do that."

The results of this study have highlighted the various ways that survivors of SGBV have felt empowered – in relation to themselves and in relation to others. The extract from Ruby highlights how reporting and regaining control over her life prompted her to foster positive support networks and to actively give back by volunteering at the V.E.P. room. The study conducted by Flasch et al. (2017) similarly showcased that advocacy and empowering others was a recurring theme. It was noted that this provided survivors with a sense of peace and purpose in their own lives when helping others with similar experiences. In relation to Ruby, throughout her interview she continued to emphasize the personal relationship that she has with many of the SAPS officials and particularly the Sergeant. Ruby's interview was one of the few that shed a very positive light on SAPS and in many ways, this could be construed

as a very biased perception of SAPS, a bias that I held on and questioned within myself. However, upon my own reflection, Ruby's experience may instead encapsulate the expected experience with the justice system and how positive an outcome it provides victims of violence in relation to themselves and others. The following is an extract between me and Ruby that highlights the aforementioned:

> Int: "…Ruby, are you still good? We have one more question (laughs). How are you feeling at the end of this interview?"
>
> Ruby: "I'm better. I'm always better. I like to speak about these things (?). It's nice to tell someone and get the experience also. They can help you for better or they can help you for the now. So, at the end, I through any course because it can help someone now, it can help with their situation."

Empowering themselves through reporting and using their agency to retaliate in such significant ways evidently encouraged the participants to equip themselves with the knowledge and skills around SGBV to encourage and empower women, children, and men alike. Although empowerment looked different for each participant, interrupting the cycle of violence in their own lives and in their communities permeated through each response.

Concluding Comments

In this chapter, I presented and discussed the main themes that emerged from the dataset. The narratives of delayed justice, the narratives of the experiences of reporting to the South African Police Services (SAPS), the narratives of the constraints of reporting and lastly, the narratives of empowerment give insight into the experiences survivors of sexual and/or gender-based violence have when reporting their incident of violence to the South African police. Overall, these narratives spoke to how the intersecting oppressions of gender, race, and socioeconomic status influenced the experiences poor, black women, and women of

colour have interacting with the criminal justice system, and how they make meaning of their decisions to report their incident of violence.

Chapter Five: Concluding Overview

This research study aimed to contribute to understanding the South African Police Service's (SAPS) response to sexual and/or gender-based violence in South Africa. This study explored the experiences survivors of sexual and/or gender-based violence have when reporting an incident of violence to the South African police. An intersectional qualitative approach informed the design of this research study, and the theoretical underpinning was an intersectional feminist framework. Twelve women participated in semi-structured individual interviews about their experience of reporting an incident of sexual and/or gendered violence to the South African police. The data from these interviews was then analyzed using thematic analysis. Overall, the results of this study highlighted how intersecting oppressions influences the experiences and outcomes of justice in South Africa. In this chapter, I summarize the research findings and highlight the contributions made in this research. Following this, I discuss the limitations identified within this study, along with outlining recommendations for future, related research.

Summary and Contributions

The current study aimed to explore the South African Police Service's (SAPS) response to sexual and gender-based violence in South Africa. This study looked particularly at the experience victims of SGBV have when reporting an incident of violence perpetrated against themselves to the South African Police Service. The central questions for this research were as follows:

1. What are the experiences of survivors in low socioeconomic communities when reporting an incident of sexual or gender-based violence against themselves?
2. How do survivors make meaning of their experience of reporting an incident of sexual and/or gender-based violence to the South African police?

This research highlights the South African police's inconsistent responses to sexual and gender-based violence in South Africa. Employing an intersectional feminist framework allowed me to explore what it means for black women and women of colour to report an incident of sexual and gender-based violence to the South African police. Previous literature on the South African police's response to sexual and gender-based violence in South Africa has predominantly centered on and explored the challenges faced by SAPS in responding to SGBV. However, this research is one of the first few local studies that explore the experience victims of SGBV have when reporting an incident of violence to the South African police. It also unpacks the nature and impact of the intersecting oppressions that influence the reporting experience for victims, which is largely absent in the literature on this topic.

The findings of this study emerged from five dominant themes. The first main theme, *the inevitable delay of justice*, outlines how reporting sexual and gender-based violence is further challenging for black women and women of colour because of the systemic oppression they face. The second theme, *the experiences of reporting to the South African Police Services (SAPS)*, outlines how intersecting oppressions influence the reporting process for survivors. This theme underscored the disregard shown to victims of SGBV – those who are already disadvantaged being further marginalized by the justice system. In the third theme, *the constraints of reporting*, participants spoke about the time and financial constraints of reporting. This theme illuminated the lived realities of women reporting an incident of violence in the context of poverty and unemployment. The fourth theme, *evidence*, included two sub-themes, namely *the paper, the proof, the evidence,* and *silence*. *Narratives of evidence* outline the ways in which marginalized women are treated by the justice system in the absence of evidence. The absence of evidence highlighted that perpetrators are more protected by the system, reinforcing the disregard for victims and the erasure of their experiences. Lastly, the fifth theme identified, *empowerment*, included three

sub-themes, namely *resilience when supported*, *the protection and allyship with SAPS*, and lastly, *interrupting the cycle of violence*. The narratives on empowerment answered the second research question, on what the meaning-making participants have of reporting an incident of sexual and/or gendered violence to the South African police. The findings that emerged in this dominant theme illustrated that despite the quality of the experience when reporting, the act of reporting is an empowering experience for women who are victims of violence. A salient observation in this study was that reporting was illustrated to be a fight-back response for participants, which provided a restoration of their agency. Moreover, obtaining a protection order, receiving psychosocial support, and having children of their own influenced participants to seek justice and reclaim their power and identity.

Challenges and Limitations

Throughout the research process and analysis, it was imperative to remain reflective and mitigate any factors that may influence the research. Despite this, limitations still occurred. Firstly, the recruitment of participants was done through the Manenberg Victim Empowerment Programme (V.E.P.), with the great assistance of the V.E.P. coordinator, who is also a Sergeant at the Manenberg police station. Although it created a trustworthy and comfortable space for participants, as they were familiar with the V.E.P. room, and the police station, and acquainted with the Sergeant, it also entailed a bias with the participants whom the Sergeant put in contact with me. Considering that this study was based on the experience victims of SGBV have when reporting to the South African police, there may have been bias towards recommending women who have had more positive experiences with Manenberg SAPS.

Secondly, the provided incentive of a R150 Shoprite voucher and R20 traveling reimbursement fee may have influenced the recruitment and data collection phase. Through the snowball sampling, all the participants were either family members, lived in the same

household, or were colleagues. It is also possible that there was potential bias in responses, considering that participants may have been primarily motivated to participate because of the incentive.

Significance and Recommendations

Violence against women, children, and gendered minorities has been a topic of great and multi-layered concern in South Africa. This study has contributed to research that has similarly honored the voices of survivors in sharing their experiences with the South African justice system. The findings of this study will be shared with the V.E.P. coordinator, who is also a Sergeant at the Manenberg police station, to incorporate feedback into addressing SGBV with a more victim-centric approach. The presentation of feedback has been discussed with the Sergeant and it has been determined that the findings of the study will be presented in the form of a report to Manenberg SAPS. Additionally, this study also highlighted the need for more community awareness on the availability of and accessibility of services for victims of SGBV at the police station. Being informed will enable women who are reporting an incident of violence to be less reliant on SAPS personnel who may not possess the competence to effectively assist them.

The study's findings did not consider the possible contrast between participants who have reported to a male versus female police officer. As aforementioned (Chapter 2, p.14), the representation of female police officers and their assistance in cases that involves violence against women and children increased the rates of reporting (Miller & Regel, 2019; Retief & Green, 2015; Sun, 2007).

Subsequently, the findings of this study suggest that more research needs to be conducted on the challenges that SAPS personnel face that influence their response to incidents of sexual or gendered violence. This research should be comparative and conducted

across various settings, as the challenges encountered by SAPS may vary across precincts. This will aid in a more comprehensive approach to addressing SGBV in South Africa.

Conclusion

This study explored the experiences victims of sexual and gender-based violence have when reporting an incident of violence to the South African police and also explored the ways in which they make meaning of their experience of reporting. The findings of this research will contribute to the improvement of the services at Manenberg SAPS and their response to sexual and gender-based violence.

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Appendix A: Study Advertisement

Appendix B: Interview Questions

1. Age
2. Gender
3. Location
4. Can you please describe your experience when you reported the violent incident you experienced?
5. Did you receive social support?

   Prompt: Have you been referred for counselling or seen a social worker?

   a. If 'yes,' what social support did you receive?
   b. If 'yes,' in what ways was the support you've received helpful or unhelpful?
6. How has things changed for you since reporting?
7. From your experience when reporting, what could have been done differently?
8. Is there anything else you would like to add about your experience of reporting an incident of GBV?
9. How are you feeling at the end of this interview?

Appendix C: Informed Consent

University of Cape Town

Consent to take part in the interview for the study, The South African Police Services Response to Sexual and/or Gendered Violence: The experience of survivors

Research Purpose

The purpose of this research is to understand the South African Police Service's response to Sexual and/or Gendered Violence, looking particularly at the experience of survivors have when reporting to SAPS.

Your participation

If you consent to participate in this study, you will be invited to a one-on-one interview with me. This interview will be about 45-60 minutes long and will take place at the Manenberg SAPS, Victim Empowerment Program (V.E.P.) room at a time that is suitable for you.

You will be asked about your experience of reporting to SAPS, if you have received social support and how things have been for you since reporting. Please note that you will not be asked about your incident of sexual/gendered violence itself, only your experience of reporting.

I will also ask for your consent for the interview session to be audio recorded.

Potential risks

You may possibly experience emotional discomfort while talking about your experience. If this happens, you can choose whether you would like to withdraw from or continue participating in the study.

Support resources from the V.E.P. room and organizations such as Family and Marriage Society of South Africa (FAMSA), Mosaic Training, Service and Healing Centre for Women, Saartjie Baartman for Women and Children and Rape Crisis will be made available to you.

Potential benefits

There are no direct benefits in partaking in this study. However, your contribution will help to better understand and to strengthen the South African Police Service's to Sexual and/or Gendered Violence.

Voluntary participation

Your participation in this study is voluntary. If you agree to partake in this study, I will ask that you provide your consent by signing below. If you proceed, you are free to change your mind and end your participation at any time during the study.

Confidentiality

The information that you provide, except identifying data such as your name, will be used to write up this study.

The interview will be audio-recorded. All recordings and data obtained from the interview will be securely saved and will be password-protected. All hard copies of your signed consent forms will be stored in a locked drawer.

Questions

If you have any questions regarding the research, please contact the researcher: Erin Lee Griqua on 084 996 2545 or the research supervisors: Professor Floretta Boonzaier on 021 650 3429 or Floretta.Boonzaier@uct.ac.za and Haile Matutu on Haile.Matutu@uct.ac.za. If you have concerns about your participation or a question about the ethics of this study, please contact Rosalind Adams in the Department of Psychology on 021 650 3417 or Rosalind.adams@uct.ac.za

Voluntary consent:

- I understand that this interview will be audio-recorded.
- I understand that I am not obligated to participate in this study and can refuse to answer any questions.

- I understand that my participation is voluntary and I can withdraw my participation at any point in the study.
- I agree that any information from the study can be used for educational and research purposes.

I hereby voluntarily consent to participate in the research study:

Participant (printed name and surname)	Signature	Date
Researcher (name and surname)	Signature	Date

I consent for this interview to be audio-recorded:

Participant (printed name and surname)	Signature	Date
Researcher (name and surname)	Signature	Date

Appendix D: List of Resources to Organizations Working with Gendered/Sexual Violence

1. **Family and Marriage Society of South Africa (FAMSA)**
   Observatory
   Contact: 021 447 7951
   Website: www.famsa.org.za

2. **Mosaic Training, Service and Healing Centre for Women**
   Wynberg
   Contact: 021 761 7585
   Website; www.mosaic.org.za

3. **Saartjie Baartman Centre for Women and Children**
   Manenberg
   Contact: 021 633 5287
   Website: www.saartjiebaartmancentre.org.za

4. **Rape Crisis**
   Observatory (Head Office)
   Contact: 021 447 1467
   Email: communications@rapecrisis.org.za

   Athlone
   Contact: 021 684 1180

Appendix E: Ethical Approval Letter

UNIVERSITY OF CAPE TOWN

Department of Psychology

University of Cape Town Rondebosch 7701 South Africa
Telephone (021) 650 3417
Fax No. (021) 650 4104

15 May 2023

Erin Lee Griqua
Department of Psychology
University of Cape Town
Rondebosch 7701

Dear Erin Lee

I am pleased to inform you that ethical clearance has been given by an Ethics Review Committee of the Faculty of Humanities for your study, *The Criminal Justice System's Response to Sexual and Gender-Based Violence: The experience of survivors.* The reference number is PSY2023-010.

I wish you all the best for your study.

Yours sincerely

Lauren Wild (PhD)
Associate Professor
Chair: Ethics Review Committee